

## **REMARKS**

Applicants have received and carefully reviewed the Final Office Action of the Examiner mailed November 13, 2008. Favorable consideration of the following remarks is respectfully requested.

Applicants thank the Examiner for indicating that claim 8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants also thank the Examiner for the indication of allowance of claims 9-15, but believe that all of the claims are, in fact, patentable. Applicants request a telephone interview with their Representative should any patentability issues remain once this Response is considered.

Applicants respectfully traverse the Examiner's rejection of claims 1 and 7 under 35 U.S.C. §102(b) as being anticipated by Cartellieri et al., U.S. Patent No. 6,655,280. In order to anticipate, the cited reference must disclose each and every claimed element and feature, in at least as much detail as is claimed. Cartellieri et al. fail to do so.

Claim 1 reads:

1. An ink fountain for a printing machine, having a base with a blade holder, in which said blade holder comprises a number of adjacent sectors which can be moved by adjusting means in order to vary the distance between said sectors and the circumference of an ink fountain roller, said ink fountain additionally comprising a blade which is interposed between said sectors and the circumference of the ink fountain roller and which has a continuous edge intended to maintain a defined ink thickness on the ink fountain roller, the ink thickness being adjusted by said continuous edge of the blade and defined by the position of said sectors, which is transmitted to said blade, wherein said blade rests along a plane thereof directly on a surface of said sectors and is held fixedly with respect to said blade holder. (emphasis added)

As can be seen, the claimed invention pertains to an ink fountain. As will be discussed below, Cartellieri et al. describe a closed inking system having a chambered doctor blade unit and thus cannot be considered as describing an ink fountain. Another claimed feature that is absent from the cited reference is that the ink thickness is controlled by adjusting a distance between a continuous blade edge and a circumference of an ink fountain roller. In contrast, and as discussed below, Cartellieri et al. disclose a blade that rests directly against the circumference of a screen roller having screen lines. The amount of ink is determined by the volume of ink

carried by the screen lines. Another claimed feature that is absent from the cited reference is that the ink thickness in the ink fountain is defined by the position of sectors that is transmitted to the blade. As discussed below, Cartellieri et al. disclose that the position of the metering elements is not transmitted to the blade but rather affects the volume of ink that is carried by the screen lines.

Cartellieri et al. are directed to an inking unit having a chambered doctor blade unit (2) that includes a working doctor blade (3) and a closing doctor blade (4) that together define an ink chamber (5). The chambered doctor blade unit (2) bears on the circumference of a screen roller (1) that has a screened surface with groove-shaped screen lines (10) to take-up ink from the chambered doctor blade unit (see in particular claim 1, Figures 1, 2 and column 3, lines 22 to 63). With such an inking unit, an inlet of the ink chamber (5) is connected to a feed pump (6) which produces an excess or positive pressure of a printing ink (or other coating liquid) in the ink chamber (5) (see column 3, lines 31 to 41). Such inking units are typically used to ink flexographic printing forms (see column 3, lines 50 to 54). It will be appreciated, therefore, that Cartellieri et al. do not describe or suggest an ink fountain. This is a claimed feature expressly absent from the cited reference.

“Ink fountains” are commonly understood as “open” inking systems having at least an ink fountain blade and fountain side walls cooperating with the circumference of an ink fountain roller that exhibits a continuous surface (and not a screened surface as taught by Cartellieri et al.), the amount of ink taken by the ink fountain roller being controlled by adjusting the distance between the extremity of the ink fountain blade and the circumference ink fountain roller. In an ink fountain as claimed, ink is supplied in the area defined by the ink fountain blade, fountain side walls, and the circumference of the ink fountain roller, the ink fountain blade forming a V-shaped angle with respect to the circumference of the ink fountain roller to contain the supply of ink (hence the expression “ink fountain”) therebetween.

In contrast, according to Cartellieri et al., the amount of ink is determined by the volume of ink taken by the screen lines (10) on the circumference of the screen roller (1). As shown in Figure 5 of Cartellieri et al., the working doctor blade (3) of the chambered doctor blade unit (2) rests directly against the circumference of the screen roller (1), or more precisely, against the screen or cell wall (27) that separates a screen line (26) from an adjacent screen line of the screen roller, i.e., there is no spacing between the blade (3) and the circumference of the screen roller

(1), much less a spacing used for adjusting the ink thickness (see Figure 5 and column 5, lines 37 to 40).

In other words, Cartellieri et al. do not describe an inking unit in which the ink thickness is adjusted by the continuous edge of the blade (3). Instead, the working blade (3) rests directly against the circumference of the screen roller (1) and the ink thickness is determined by the dimensions of the screen lines (10) and by adjusting the flow velocity of the printing ink in the screen lines (10). In other words, Cartellieri et al. do not describe an inking unit in which the ink thickness is adjusted by the continuous edge of the blade (3). This is another claimed feature expressly absent from the cited reference.

Moreover, Cartellieri et al. do not disclose or suggest that the position of the metering elements (11, 12, 13) is transmitted to the working blade (3) for adjusting the ink thickness. The metering elements (11, 12, 13) of Cartellieri et al. are merely designed to adjust a hydrodynamic static pressure of the printing ink in respective inking zones (A, B, C), see Figure 4 and column 4, lines 18 to 22, and thereby the relative flow velocity of the printing ink in the groove-shaped screen lines (10) of the screen roller (1), see Figure 5 and column 5, lines 9 to 14.

According to Cartellieri et al. the metering elements (11, 12, 13) do not affect the position of the working blade (3). Rather, the position of the metering elements merely affects the volume of an accumulation chamber (19) formed between the circumference of the screen roller (1) and the metering elements upstream of the doctor blade (3) to thereby adjust the flow velocity of the printing ink in the screen lines (10) (see again Figure 5). Cartellieri et al. do not describe or suggest that the ink thickness in the ink fountain is defined by the position of sectors that is transmitted to the blade. This is another claimed feature that is expressly absent from the cited reference.

For at least these reasons, Cartellieri et al. cannot be considered as anticipating the claimed invention. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 2-3 under 35 U.S.C. §103(a) as being unpatentable over Cartellieri et al., U.S. Patent No. 6,655,280, in view of Blackwell, U.S. Patent No. 5,778,785. Claim 1, from which claims 2-3 depend, is distinguished above as being patentable over Cartellieri et al. Blackwell is not believed to remedy the noted shortcomings of Cartellieri et al., and thus claim 1 is believed to be patentable over both

references. Claims 2-3 include the elements of claim 1 and thus are believed to be patentable for at least the same reasons. Claims 2-3 also add further distinguishing features. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 4-6 under 35 U.S.C. §103(a) as being unpatentable over Cartellieri et al., U.S. Patent No. 6,655,280, in view of Fischer et al., U.S. Patent No. 5,662,043. Claim 1, from which claims 2-3 depend, is distinguished above as being patentable over Cartellieri et al. Fischer et al. are not believed to remedy the noted shortcomings of Cartellieri et al., and thus claim 1 is believed to be patentable over both references. Claims 4-6 include the elements of claim 1 and thus are believed to be patentable for at least the same reasons. Claims 4-6 also add further distinguishing features. Favorable reconsideration is respectfully requested.

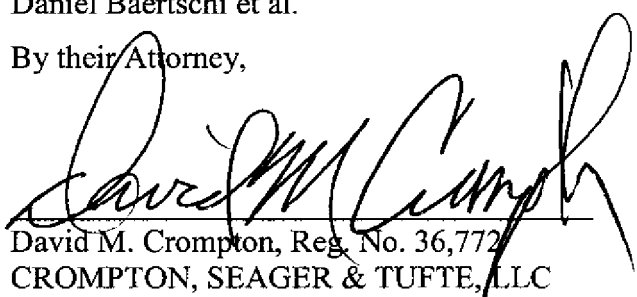
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Daniel Baertschi et al.

By their Attorney,

Date: 12/29/08

  
David M. Crompton, Reg. No. 36,772  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, MN 55403-2420  
Telephone: (612) 677-9050  
Facsimile: (612) 359-9349